

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

BEFORE HONORABLE DANIEL R. DOMINGUEZ

MINUTES OF PROCEEDINGS

DATE: September 2, 1999

CRIM. NO. 97-2331(DRD)

COURTROOM DEPUTY: Janet GONZALEZ

COURT REPORTER: Arthur G. PINEDA

METROPOLITAN LIFE INSURANCE CO.
Plaintiff

Attorneys:

Jesus E. CUZA-ABDALA
Mildred CABAN
Anthony ZITRIN

v.
NATIONAL COMMUNICATIONS
SYSTEMS, INC., et al.,
Defendants

Attorneys:

Juan H. SAAVEDRA-CASTRO
Freddie PEREZ-GONZALEZ
(Via telephone)
Juan R. MARCHAND

STATUS/SETTLEMENT CONFERENCE is held. Mr. Steven Worley, representative for plaintiffs, and attorneys Hans Hertell and José Axtmayer as defendants were also present at said conference. The Court met with the parties for one hour and settlement was not viable.

Motions pending were discussed and rulings were issued:

Dkt. No. 65: Motion to Disqualify the Law Firm of Goldman, Antonetti, Cordero & Axtmayer - Plaintiff is granted **five (5) days** to respond to this motion.

Dkt. No. 125: Motion to Compel discovery filed by Axtmayer - Plaintiff is granted **five (5) days** to produce all documents and answer to interrogatories outstanding as to **all** defendants.

Defendants are instructed to file a motion identifying all matters that are deemed admitted. Plaintiff is granted **three (3) days** to object. All matters not subject to Rule 311 shall be

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produced within **five (5) days**.

Plaintiff is granted **five (5) days** to identify all outstanding answer to interrogatories.

Dkt. No. 80: Plaintiffs' Motion for provisional remedies to secure the effectiveness of judgment - This motion is set for hearing on **September 30, 1999 at 2:00 P.M.** Defendant who did not object can not participate in this hearing.

Dkt. No. 86: Sealed informative motion by attorney Miguel J. Rodriguez Marxuach - Noted.

Dkt. No. 91: Plaintiff's motion submitting exhibits under seal - **Order:** After examining the documents submitted, the Court finds they are privileged. Plaintiff is granted **five (5) days** to send the documents object of this motion to Mr. D'Angelo to his last known address so he can make the determination if he is going to unseal these documents. These documents shall remain *sealed* unless there is a waiver by Mr. D'Angelo.

Dkt. No. 100: Plaintiffs' Urgent Motion requesting order concerning co-defendants' harassment of comptroller Manuel Díaz Saldaña - The Court Orders that the deposition of the Comptroller as well as all other pending depositions be taken prior to **September 15, 1999**. If the Comptroller's deposition is not taken by the 15th, then the parties will have until the 20th of September to depose him or go without him. All depositions to be taken will be on the issue of "disqualification". The deposition of Mr. Axtmayer will be taken after that of Messrs. Antonetti and Montalvo. Attorney Cuza will notify defendants by tomorrow at 5:00 P.M. when Messrs. Antonetti and Montalvo will be available.

Dkt. No. 110: The Court **vacates** its Order staying the discovery pending the resolution of the disqualification issue.

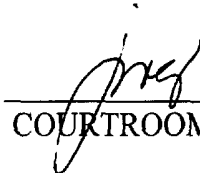
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Dkt. No. 118: Plaintiffs' Motion to Strike defendant's Motion to Dismiss (Dkt. No. 112) - Defendants are granted **five (5) days** to respond. Plaintiff is granted **twenty (20) days** to reply to the Motion to Dismiss.

The following Dkt. Nos. are still pending: 65, 105, 106, 112 and 118.

THE DEADLINES STATED HEREIN ARE FINAL AND FATAL. NO FURTHER EXTENSIONS WILL BE GRANTED.



COURTROOM DEPUTY

s/c: Counsel of record